

**REPORT OF THE AUDIT OF THE
ROBERTSON COUNTY
CLERK**

**For The Year Ended
December 31, 2002**



**CRIT LUALLEN
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EXECUTIVE SUMMARY

AUDIT EXAMINATION OF THE ROBERTSON COUNTY CLERK

**For The Year Ended
December 31, 2002**

The Auditor of Public Accounts has completed the Robertson County Clerk's audit for the year ended December 31, 2002. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

Excess fees increased by \$2,299 from the prior calendar year, resulting in excess fees of \$34,500 as of December 31, 2002. Revenues increased by \$21,549 from the prior year and disbursements increased by \$16,951.

Report Comments:

- The County Clerk Should Make Daily Deposits
- Lacks Adequate Segregation Of Duties
- The County Clerk Should Turn Excess Fees Over To The County In A Timely Manner

Deposits:

The Clerk's deposits were insured and collateralized by bank securities or bonds.

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CRIT LUALLEN
Auditor of Public Accounts

To the People of Kentucky
Honorable Ernie Fletcher, Governor
Robbie Rudolph, Secretary
Finance and Administration Cabinet
Honorable Bradley Gifford, Robertson County Judge/Executive
Honorable Stephanie Hendricks, Robertson County Clerk
Members of the Robertson County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of receipts, disbursements, and excess fees of the County Clerk of Robertson County, Kentucky, for the year ended December 31, 2002. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a prescribed basis of accounting that demonstrates compliance with the modified cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the receipts, disbursements, and excess fees of the County Clerk for the year ended December 31, 2002, in conformity with the modified cash basis of accounting.



To the People of Kentucky
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In accordance with Government Auditing Standards, we have also issued our report dated November 3, 2003, on our consideration of the County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

Based on the results of our audit, we have presented the accompanying comments and recommendations, included herein, which discusses the following report comments:

- The County Clerk Should Make Daily Deposits
- Lacks Adequate Segregation Of Duties
- The County Clerk Should Turn Excess Fees Over To The County In A Timely Manner

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", with a long horizontal flourish extending to the right.

Crit Luallen
Auditor of Public Accounts

Audit fieldwork completed -
November 3, 2003

ROBERTSON COUNTY
STEPHANIE HENDRICKS, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES

For The Year Ended December 31, 2002

Receipts

State Fees For Services		\$	684
Fiscal Court			54,631
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers	\$	51,108	
Usage Tax		73,253	
Tangible Personal Property Tax		139,197	
Licenses-			
Marriage		380	
Deed Transfer Tax		2,655	
Delinquent Tax		2,158	268,751
Fees Collected for Services:			
Recordings-			
Deeds, Easements, and Contracts	\$	1,956	
Real Estate Mortgages		4,135	
Chattel Mortgages and Financing Statements		7,056	
All Other Recordings		1,788	
Charges for Other Services-			
Candidate Filing Fees		1,350	16,285
Other:			
Miscellaneous			828
Interest Earned			63
Total Receipts		\$	341,242

Disbursements

Payments to State:			
Motor Vehicle-			
Licenses and Transfers	\$	38,406	
Usage Tax		71,433	
Tangible Personal Property Tax		56,944	

The accompanying notes are an integral part of this financial statement.

ROBERTSON COUNTY
STEPHANIE HENDRICKS, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
For The Year Ended December 31, 2002
(Continued)

Disbursements (Continued)

Licenses, Taxes, and Fees-			
Delinquent Tax	\$	645	
Legal Process Tax		1,946	
Candidate Filing Fees		<u>690</u>	\$ 170,064
Payments to Fiscal Court:			
Tangible Personal Property Tax	\$	11,625	
Delinquent Tax		258	
Deed Transfer Tax		<u>2,523</u>	14,406
Payments to Other Districts:			
Tangible Personal Property Tax	\$	64,984	
Delinquent Tax		<u>1,009</u>	65,993
Payments to Sheriff			108
Operating Disbursements and Capital Outlay:			
Contracted Services-			
Printing and Binding	\$	371	
Other Charges-			
Bank Charges		110	
Miscellaneous		<u>843</u>	<u>1,324</u>
Total Disbursements			<u>\$ 251,895</u>
Net Receipts			\$ 89,347
Less: Statutory Maximum	\$	53,365	
Training Incentive		<u>1,482</u>	<u>54,847</u>
Excess Fees			\$ 34,500
Payments to County Treasurer for 2002			<u>34,500</u>
Balance Due at Completion of Audit			<u><u>\$ 0</u></u>

The accompanying notes are an integral part of this financial statement.

ROBERTSON COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 2002

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this basis of accounting, certain receipts and certain expenditures are recognized as a result of accrual at December 31, 2002.

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 6.41 percent for the first six months and 6.34 percent for the last six months of the year.

ROBERTSON COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2002
(Continued)

Note 2. Employee Retirement System (Continued)

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 64.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2002, the County Clerk's deposits were fully insured or collateralized at a 100% level with collateral of either pledged securities held by the County Clerk's agent in the County Clerk's name, or provided surety bond which named the County Clerk as beneficiary/obligee on the bond.

Note 4. Grant

The County Clerk received a local records microfilming grant from the Kentucky Department for Libraries and Archives in the amount of \$22,950. Funds totaling \$22,950 were expended prior to 2002. Due to the fee pooling resolution adopted by the fiscal court, all receipts and disbursements of the grant were handled by the county judge's office. There was no unexpended grant balance as of December 31, 2002.

COMMENTS AND RECOMMENDATIONS

ROBERTSON COUNTY
STEPHANIE HENDRICKS, COUNTY CLERK
COMMENTS AND RECOMMENDATIONS

For The Year Ended December 31, 2002

STATE LAWS AND REGULATIONS:

The County Clerk Should Make Daily Deposits

The County Clerk failed to make daily deposits throughout the year. We tested a total of 61 daily deposits for calendar year 2002, and on 8 of the tested dates, deposits were not made in a timely manner. KRS 68.210, 45 KAR 1:070, and TAB 93-002 require the County Clerk "to deposit, all public funds received, into an official account on a daily basis." We recommend the County Clerk deposit all monies received into an official account as required.

County Clerk's Response:

This was an improvement from the previous year. We are currently working to improve the office tasks in a timely manner.

The County Clerk Should Turn Excess Fees Over To The County In A Timely Manner

The County Clerk submitted excess fees to the county in 10 payments during calendar year 2002. The payment for February 2002 was submitted to the fiscal court in April 2002. A payment for the months of August and September 2002 was submitted to the county in November 2002, and there was no payment for the month of May 2002. The county's fee pooling resolution requires the County Clerk to submit excess fees to the county on a monthly basis. We recommend the County Clerk submit excess fee payments to the county in a timely manner as required.

County Clerk's Response:

Will try to improve this for 2004.

INTERNAL CONTROL - REPORTABLE CONDITION AND MATERIAL WEAKNESS:

Lacks Adequate Segregation Of Duties

We noted the lack of adequate segregation of duties for the internal control structure and its operation that in our judgment is a reportable condition under the standards established by the American Institute of Certified Public Accountants. Due to the entity's diversity of official operations, small size, and budget restrictions the official has limited options for establishing an adequate segregation of duties. Management has considered and rejected additional cost when setting limits on spending for salaries and therefore accepts the degree of risk associated with a lack of segregation of duties. The County Clerk is the only full-time employee of the office, therefore, we recommend the County Clerk consider the use of other county personnel to perform comparisons of the County Clerk's receipts and disbursements ledgers to bank receipts and disbursements and to review monthly reconciliations completed by the County Clerk.

County Clerk's Response:

Due to budget restraints we can only have a part-time deputy 12 hours per week.

ROBERTSON COUNTY
STEPHANIE HENDRICKS, COUNTY CLERK
COMMENTS AND RECOMMENDATIONS
For The Year Ended December 31, 2002
(Continued)

PRIOR YEAR:

The County Clerk Should Not Have A Deficit In Her Official Bank Account

This was resolved during 2002.

The County Clerk Should Make Daily Deposits

This was not resolved and is reported in the current audit.

The County Clerk Should Publish Her Financial Statement In A Timely Manner

This was resolved during 2002

Lacks Adequate Segregation Of Duties

This was not resolved and is reported in the current audit.

REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



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Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of receipts, disbursements, and excess fees of the Robertson County Clerk for the year ended December 31, 2002, and have issued our report thereon dated November 3, 2003. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Robertson County Clerk's financial statement for the year ended December 31, 2002, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance that are required to be reported under Government Auditing Standards and which are described in the accompanying comments and recommendations.

- The County Clerk Should Make Daily Deposits
- The County Clerk Should Turn Excess Fees Over To The County In A Timely Manner

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Robertson County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. However, we noted a certain matter involving the internal control over financial reporting and its operation that we consider to be a reportable condition.



Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

Internal Control Over Financial Reporting (Continued)

Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the entity's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statement. A reportable condition is described in the accompanying comments and recommendations.

- Lacks Adequate Segregation Of Duties

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. However, we consider the reportable condition described above to be a material weakness.

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified party.

Respectfully submitted,



Crit Luallen
Auditor of Public Accounts

Audit fieldwork completed -
November 3, 2003